

FOR MAIL SECTION

Before the  
Federal Communications Commission  
Washington, DC 20554

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In the Matter of )  
 )  
Petition for Reconsideration of a Decision of )  
The Telecommunications Access Policy Division )  
Of the Wireline Competition Bureau by )  
 )  
Marin County Office of Education ) File No. SLD-303207  
San Rafael, California )  
 )  
Schools and Libraries Universal Service ) CC Docket No. 02-6  
Support Mechanism )

**ORDER ON RECONSIDERATION****Adopted: February 5, 2004****Released: February 6, 2004**

By the Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Before the Telecommunications Access Policy Division (Division) is a Petition for Reconsideration (Petition) filed by Marin County Office of Education (Marin County), San Rafael, California, that asks the Division to reconsider its order denying Marin County's Request for Review of a decision issued by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).<sup>1</sup> For the reasons set forth below, we deny the Petition.

2. In the *Marin County Order*, we held that Marin County's failure to submit its Funding Year 2002 FCC Form 471 application with a signed signature block by the filing deadline rendered its application defective.<sup>2</sup>

3. Marin County presents no new facts in its Petition. Pursuant to the Commission's rules, a petition for reconsideration generally will be granted only if it demonstrates an error in the decision based on (1) facts which related to events which have occurred or circumstances which have changed since the last opportunity to present such matters; or (2) facts unknown to


<sup>1</sup> The Petition was filed December 9, 2002, seeking reconsideration of *Request for Review of the Decision of the Universal Service Administrator by Marin County Office of Education, San Rafael, California*, File No. SLD-303207, CC Dockets No. 96-45 and 97-21, Order, 17 FCC Rcd. 22441 (Wireline Comp. Bur. 2002) (*Marin County Order*). Parties may seek reconsideration from a final action of the Commission or its designated authority. 47 C.F.R. § 1.106

<sup>2</sup> *Marin County Order*, paras. 7 and 8. Under the schools and libraries universal service support mechanism, eligible schools, libraries, and their consortia may apply for discounts for eligible telecommunications services, Internet access, and internal connections. 47 C.F.R. §§ 54.502, 54.503.

petitioner until after the Request for Review was filed.<sup>3</sup> Each of the arguments raised by Marin County in its Petition for Reconsideration was raised in its prior Request for Review, and addressed in the *Marin County Order*.<sup>4</sup> Therefore, we deny Marin County's Petition.

4. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Petition for Reconsideration filed by Marin County Office of Education, San Rafael, California, on December 9, 2002 IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Narda M. Jones   
Deputy Chief, Telecommunications Access Policy Division  
Wireless Competition Bureau

<sup>3</sup> 47 C.F.R. §§ 1.106(b)(2) and 1.106(c)(1).

<sup>4</sup> Marin County argued that (1) SLD's notice of the deficiency arrived after the filing date, and hence too late for Marin County to remedy; (2) that the omission was accidental; and (3) that the denial of funding would be a hardship for Marin County. See *Marin County Order*, paras. 5-8.